

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN ASSEMBLY JUNE 15, 2006

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE MAY 3, 2006

AMENDED IN SENATE MARCH 30, 2006

SENATE BILL

No. 1124

Introduced by Senator Torlakson

January 4, 2006

An act to amend Sections ~~24214~~, 44395, 44830, 69612, 69613, 70000, 70001, 70002, 70003, ~~and 70004~~ 70004, *and* 70005 of, to add Article 5.5 (commencing with Section 90545) to Chapter 11 of Part 55 of, *and* to add and repeal Article 5 (commencing with Section 90540) of Chapter 11 of Part 55 of, ~~and to repeal Section 70005 of~~, the Education Code, relating to teacher development, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1124, as amended, Torlakson. Teacher development: recruitment, training, and retention.

~~(1) Existing law establishes the State Teachers' Retirement Plan, and permits a retired member of the State Teachers' Retirement Plan to perform specified types of service without reduction in his or her retirement allowance and without reinstatement if the compensation for that service, in any one school year, does not exceed \$22,000, adjusted annually by the Teachers' Retirement Board by the percentage increase in the average earnable salary of active members of the Defined Benefit Program, as specified.~~

~~This bill would exempt from that postretirement compensation limitation a member retired for service if he or she is retired for a period of at least 6 months, as specified, and agrees to serve, on an annual renewable contract, as a mentor in a high-priority school, as defined. The bill would limit the exemption to a total of 3 school years, and would make the exemption available only until the end of the 2014-15 school year.~~

~~(2)~~

(1) Existing law establishes the National Board for Professional Teaching Standards Certification Incentive Program to award grants to teachers who, among other things, have attained certification from the National Board for Professional Teaching Standards. Under the program, a teacher attaining a national board certification is eligible for an award of up to \$20,000 if he or she agrees to teach at a high-priority school for at least 4 years.

This bill, to the extent that funds are appropriated for this purpose in the annual Budget Act, and in order to defray the expense of attaining certification from the National Board for Professional Teaching Standards, would authorize the State Department of Education to provide state funds to school districts for the purpose of paying the fees of teachers who seek that certification, are employed by school districts or charter schools, and are assigned to teach in California public schools.

~~(3)~~

(2) Existing law requires the Commission on Teacher Credentialing to establish standards and procedures for the initial issuance and renewal of credentials, and prohibits the commission from initially issuing a credential, permit, certificate, or renewal of an emergency credential to a person unless that person passes the state basic skills proficiency test administered by the commission. Existing law exempts a certificated person from taking the state basic skills proficiency test if he or she was employed in a position requiring certification in any school district within 39 months prior to employment with the district, or if he or she is a retired certificated employee who meets specified requirements.

This bill would delete those provisions, and instead provide that a certificated person is not required to take the state basic skills proficiency test if he or she has taken and passed it at least once or possessed a credential prior to the enactment of the statute that made the test a requirement.

(4) Existing law establishes the Governor's Teaching Fellowships Program, which is administered by the Chancellor's Office of the California State University, *in collaboration with the University of California, the California Community Colleges, the Association of Independent California Colleges and Universities, the State Department of Education, and the Commission on Teacher Credentialing*. Existing law specifies the number and amount of nonrenewable graduate teaching fellowships that are to be awarded in January 2001, in September 2001, and during the 2001–02 fiscal year. Existing law requires, commencing with the 2002–03 fiscal year and each fiscal year thereafter, the number of fellowships awarded to be determined pursuant to an appropriation in the annual Budget Act. Existing law imposes on the chancellor's office specified duties relating to the operation of the fellowship program.

Existing law establishes an intersegmental review committee to review all fellowship applications. Existing law also requires a fellowship recipient to agree to teach in a high-priority school for 4 consecutive years, within 4 years of the completion of his or her preparation program, and to repay the state \$5,000 annually, up to \$20,000, for each year he or she fails to complete the teacher preparation program or the required teaching service. *Existing law requires the Trustees of the California State University to provide an annual report on the program.*

~~This bill would instead require the Student Aid Commission to administer the program, as specified, and collaborate with the University of California, the California State University, the California Community Colleges, the Association of Independent California Colleges and Universities, the State Department of Education, and the Commission on Teacher Credentialing to ensure that access to the fellowship is available to specified students. The bill would require, in January, between January 1, 2007, and June 30, 2007, inclusive, that 250 nonrenewable graduate teaching fellowships, in the amount of \$20,000 each, to be awarded, upon nomination by the intersegmental review committee, for use in the 2007–08 academic year, as specified. The bill would require, during for the 2007–08 2008–09 fiscal year, 500 nonrenewable graduate teaching fellowships to be awarded, as specified. The bill would require, commencing with the 2008–09 2009–10 fiscal year and each fiscal year thereafter, the number of fellowships awarded to be determined pursuant to an appropriation in the annual Budget Act.~~

The bill would require the intersegmental review committee to ~~recommend teaching fellowship candidates to the Student Aid Commission rather than to the Chancellor's Office of the California State University~~ *advise the chancellor on the needs of fellowship recipients who are students in segments other than the California State University*, and would reduce the number of the members on the committee from 12 to 9, as specified. The bill would require a fellowship recipient to agree to teach in a high-priority school for 3 consecutive years within 4 years of the completion of his or her preparation program, and would require ~~the a recipient of funds under the program on or after January 1, 2007~~, to forfeit any future payments if he or she fails to complete any portion of his or her obligation to teach in a high-priority school for 3 years. ~~The bill also would require that the nonperformance by a fellowship recipient of his or her commitment to teach in a high-priority school for 3 years be certified to the Student Aid Commission rather than having the Commission on Teacher Credentialing certify that fact to the chancellor's office.~~

The bill would require the ~~Student Aid Commission~~ *chancellor* to provide ~~an the annual report to the Legislature on the fellowship program, as specified, and the bill would specify that the report would be submitted to the Legislature.~~ The bill would ~~delete provide that the provisions authorizing the chancellor's office to adopt any rules and regulations it deems necessary for the administration of the program and recovery of funds applies only to the recipients of funds under the program prior to January 1, 2007.~~ The bill would ~~also delete the requirement~~ *limit the requirement* that the rules and regulations include a provision that authorizes a specified civil penalty on a fellowship award recipient for failing to fulfill his or her obligation to teach in a high-priority school, as specified, *to the recipients of funds under the program prior to January 1, 2007.*

(5)

(4) Existing law establishes the California Center on Teaching Careers for the purposes of recruiting qualified and capable individuals into the teaching profession. Existing law requires the California Center on Teaching Careers to perform specified duties, including, among others, creating or expanding a referral database for qualified teachers seeking employment in the public schools.

This bill would establish the California Teacher Cadet Program, to be operated by the California Center on Teaching Careers in

conjunction with the Superintendent of Public Instruction and the Chancellor of the California State University. The bill would require the California State University to convene an advisory committee to develop a common core curriculum designed to expose pupils to teaching careers and the education system through the development of a hands-on curriculum that includes specified elements. The bill would require a school district that participates in the California Teacher Cadet Program to receive, from funds appropriated for that purpose, a one-time grant of up to \$1,500 for the startup of the program at its schoolsite, as specified. The bill, subject to the availability of funding, would require the California State University to contract for an evaluation of this program and report to the Legislature, as specified, no later than January 1, 2010.

This bill would repeal the California Teacher Cadet Program on January 1, 2015.

(6)

(5) Existing law establishes the California State University under the administration of the Trustees of the California State University. Under existing law, the Chancellor of the California State University serves as the chief executive officer of the university.

This bill would express the intent of the Legislature to create a competitive grant program for institutions of higher education to collaborate with schools and local educational agencies in order to create and implement professional development schools for teacher education. The bill would require the Chancellor of the California State University to convene a Professional Development/Partnership School Advisory Committee to develop criteria and standards that would be used to create a request-for-proposal for the competitive grant program established under the bill. The bill would specify the responsibilities of the advisory committee, and would require the chancellor to appoint the membership of the advisory committee in accordance with prescribed criteria. The bill would require the chancellor to submit to the Legislature and the Governor, on or before May 1, 2007, a report that includes the findings and recommendations of the advisory committee with respect to the competitive grant program. The bill would express the intent of the Legislature to include an appropriation of \$3,000,000 in the Budget Act of 2007 for the purposes of the competitive grant program.

(7)

(6) The bill would make an appropriation of \$625,000 from the General Fund for the 2006–07 fiscal year for purposes relating to the California Teacher Cadet Program, and would provide that, for purposes of making computations required by Section 8 of Article XVI of the California Constitution, \$300,000 of that amount, as scheduled, would be deemed to be “General Fund revenues appropriated to school districts,” as defined in existing law, for the 2006–07 fiscal year, and would be included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in existing law, for the 2006–07 fiscal year.

~~(8)~~

(7) The bill would make related legislative findings and declarations, and declare the intent of the Legislature, as specified. The bill would also make conforming changes in related provisions of existing law.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Today, more than 20,000 teachers in California are still
4 underprepared and each day more than 400,000 pupils are being
5 shortchanged by the serious lack of investment in recruiting,
6 training, and retaining qualified teachers.

7 (b) The shortage of qualified classroom teachers is growing
8 throughout California, with recent teacher retirement and attrition
9 projections indicating that California will need to recruit, train,
10 and retain nearly 100,000 new teachers over the next 10 years.

11 (c) The problem is particularly acute in low-performing,
12 high-priority schools where a significant number of pupils fail to
13 meet rigorous state and federal academic performance standards.

14 (d) The rising costs of higher education, coupled with the shift
15 in available financial aid from scholarships and grants to loans,
16 has placed an increasing burden of long-term debt upon pupils.
17 As a result, loan repayment options have become an increasingly
18 important consideration in a pupil’s decision to pursue a
19 postsecondary education, especially for those pupils who are

1 considering a career in teaching, which is not as lucrative as
2 many private sector professions.

3 (e) The availability of financial aid and loan repayment
4 assistance are particularly important to economically
5 disadvantaged pupils when making their educational and career
6 decisions.

7 (f) Recent research shows that teachers are more likely to be
8 attracted to, and be more successful in schools that resemble the
9 communities from which they came. The acute need for quality
10 teachers in high-priority schools and districts is partly due to a
11 lack of pupils from these communities entering the teaching
12 profession.

13 (g) Quality teacher preparation programs, intensive
14 professional development, proper support, and critical
15 assessment during the beginning years of a teacher's career, are
16 crucial to teacher quality and retention.

17 ~~SEC. 2. Section 24214 of the Education Code, as amended by~~
18 ~~Section 24 of Chapter 351 of the Statutes of 2005, is amended to~~
19 ~~read:~~

20 ~~24214. (a) A member retired for service under this part may~~
21 ~~perform the activities identified in paragraphs (1) to (9),~~
22 ~~inclusive, of subdivision (a), or subdivision (b), of Section~~
23 ~~22119.5 as an employee of an employer, as an employee of a~~
24 ~~third party, or as an independent contractor within the California~~
25 ~~public school system, but the member may not make~~
26 ~~contributions to the retirement fund or accrue service credit based~~
27 ~~on compensation earned from that service.~~

28 ~~(b) The rate of pay for service performed by a member retired~~
29 ~~for service under this part as an employee of the employer may~~
30 ~~not be less than the minimum, nor exceed that paid by the~~
31 ~~employer to other employees performing comparable duties.~~

32 ~~(c) A member retired for service under this part may not be~~
33 ~~required to reinstate for performing the activities identified in~~
34 ~~paragraphs (1) to (9), inclusive, of subdivision (a), or subdivision~~
35 ~~(b), of Section 22119.5, as an employee of an employer, as an~~
36 ~~employee of a third party, or as an independent contractor within~~
37 ~~the California public school system.~~

38 ~~(d) A member retired for service under this part may earn~~
39 ~~compensation for performing activities identified in paragraphs~~
40 ~~(1) to (9), inclusive, of subdivision (a), or subdivision (b), of~~

~~Section 22119.5 in any one school year up to the limitation specified in subdivision (f) as an employee of an employer, as an employee of a third party, or an independent contractor, within the California public school system, without a reduction in his or her retirement allowance.~~

~~(e) (1) The postretirement compensation limitation provisions set forth in this section are not applicable to compensation earned by a member retired for service under this part who has returned to work after the date of retirement and has not, for a period of at least 12 consecutive months, performed the activities identified in paragraphs (1) to (9), inclusive, of subdivision (a), or subdivision (b), of Section 22119.5 as an employee of an employer, as an employee of a third party, or as an independent contractor within the California public school system. For purposes of this paragraph, the period of 12 consecutive months begins from the effective date of the most recent retirement of the member.~~

~~(2) The postretirement compensation limitation provisions set forth in this section are not applicable to compensation earned for the performance of the activities described in subdivision (a) for which the employer is not eligible to receive state apportionment or to compensation that is not creditable pursuant to Section 22119.2.~~

~~(f) (1) The limitation that shall apply to the compensation for performance of the activities identified in paragraphs (1) to (9), inclusive, of subdivision (a), or subdivision (b), of Section 22119.5 by a member retired for service under this part either as an employee of an employer, an employee of a third party, or as an independent contractor, shall, in any one school year, be an amount calculated by the board each July 1 equal to twenty-two thousand dollars (\$22,000) adjusted by the percentage change in the average compensation earnable of active members of the Defined Benefit Program, as determined by the system, from the 1998-99 fiscal year to the fiscal year ending in the previous calendar year.~~

~~(2) The postretirement compensation limitation set forth in paragraph (1) shall not apply to a member retired for service under this part, for a period of at least six consecutive months, who agrees to serve, on an annual renewable contract, as a mentor in a high-priority school. However, a member retired for~~

1 service shall not use this exemption for more than a total of three
2 school years.

3 (A) For purposes of this paragraph, the period of six
4 consecutive months begins on the effective date of the member's
5 most recent retirement.

6 (B) For purposes of this paragraph, a "high-priority school"
7 means a school as defined in subdivision (b) of Section 70001.

8 (g) If a member retired for service under this part earns
9 compensation for performing activities identified in paragraphs
10 (1) to (9), inclusive, of subdivision (a), or subdivision (b), of
11 Section 22119.5 in excess of the limitation specified in
12 subdivision (f), as an employee of an employer, as an employee
13 of a third party, or as an independent contractor, within the
14 California public school system, and if that compensation is not
15 exempt from that limitation under subdivision (e) or any other
16 provisions of law, the member's retirement allowance shall be
17 reduced by the amount of the excess compensation. The amount
18 of the reduction may be equal to the monthly allowance payable
19 but shall not exceed the amount of the annual allowance payable
20 under this part for the fiscal year in which the excess
21 compensation was earned.

22 (h) The amendments to this section enacted during the
23 1995-96 Regular Session shall be deemed to have become
24 operative on July 1, 1996.

25 (i) This section shall be repealed on January 1, 2008, unless
26 later enacted legislation extends or deletes that date.

27 SEC. 3. Section 24214 of the Education Code, as amended by
28 Section 23 of Chapter 912 of the Statutes of 2004, is amended to
29 read:

30 24214. (a) A member retired for service under this part may
31 perform the activities identified in paragraphs (1) to (9),
32 inclusive, of subdivision (a), or subdivision (b), of Section
33 22119.5 as an employee of an employer, as an employee of a
34 third party, or as an independent contractor within the California
35 public school system, but the member may not make
36 contributions to the retirement fund or accrue service credit based
37 on compensation earned from that service.

38 (b) The rate of pay for service performed by a member retired
39 for service under this part as an employee of the employer may

1 not be less than the minimum, nor exceed that paid by the
2 employer to other employees performing comparable duties.

3 (e) A member retired for service under this part may not be
4 required to reinstate for performing the activities identified in
5 paragraphs (1) to (9), inclusive, of subdivision (a), or subdivision
6 (b), of Section 22119.5, as an employee of an employer, as an
7 employee of a third party, or as an independent contractor within
8 the California public school system.

9 (d) A member retired for service under this part may earn
10 compensation for performing activities identified in paragraphs
11 (1) to (9), inclusive, of subdivision (a), or subdivision (b), of
12 Section 22119.5 in any one school year up to the limitation
13 specified in subdivision (f) as an employee of an employer, as an
14 employee of a third party, or an independent contractor, within
15 the California public school system, without a reduction in his or
16 her retirement allowance.

17 (e) The postretirement compensation limitation provisions set
18 forth in this section are not applicable to compensation earned for
19 the performance of the activities described in subdivision (a) for
20 which the employer is not eligible to receive state apportionment
21 or to compensation that is not creditable pursuant to Section
22 22119.2.

23 (f) (1) The limitation that shall apply to the compensation for
24 performance of the activities identified in paragraphs (1) to (9),
25 inclusive, of subdivision (a), or subdivision (b), of Section
26 22119.5 by a member retired for service under this part either as
27 an employee of an employer, an employee of a third party, or as
28 an independent contractor, shall, in any one school year, be an
29 amount calculated by the board each July 1 equal to twenty-two
30 thousand dollars (\$22,000) adjusted by the percentage change in
31 the average compensation earnable of active members of the
32 Defined Benefit Program, as determined by the system, from the
33 1998-99 fiscal year to the fiscal year ending in the previous
34 calendar year.

35 (2) The postretirement compensation limitation set forth in
36 paragraph (1) shall not apply to a member retired for service
37 under this part, for a period of at least six consecutive months,
38 who agrees to serve, on an annual renewable contract, as a
39 mentor in a high-priority school. However, a member retired for
40 service shall not use this exemption for more than a total of three

1 school years, and the exemption shall not be available after the
2 2014-15 school year.

3 (A) For purposes of this paragraph, the period of six
4 consecutive months begins on the effective date of the member's
5 most recent retirement.

6 (B) For purposes of this paragraph, a "high-priority school"
7 means a school as defined in subdivision (b) of Section 70001.

8 (g) If a member retired for service under this part earns
9 compensation for performing activities identified in paragraphs
10 (1) to (9), inclusive, of subdivision (a), or subdivision (b), of
11 Section 22119.5 in excess of the limitation specified in
12 subdivision (f), as an employee of an employer, as an employee
13 of a third party, or as an independent contractor, within the
14 California public school system, the member's retirement
15 allowance shall be reduced by the amount of the excess
16 compensation. The amount of the reduction may be equal to the
17 monthly allowance payable but may not exceed the amount of
18 the annual allowance payable under this part for the fiscal year in
19 which the excess compensation was earned.

20 (h) The language of this section derived from the amendments
21 to the section of this number added by Chapter 394 of the
22 Statutes of 1995, enacted during the 1995-96 Regular Session, is
23 deemed to have become operative on July 1, 1996.

24 (i) This section shall become operative on January 1, 2008.

25 SEC. 4.

26 SEC. 2. Section 44395 of the Education Code is amended to
27 read:

28 44395. (a) The National Board for Professional Teaching
29 Standards Certification Incentive Program is hereby established
30 to award grants to school districts for the purpose of providing
31 awards to teachers who are employed by school districts or
32 charter schools, are assigned to teach in California public
33 schools, and have attained certification from the National Board
34 for Professional Teaching Standards. Awards shall be granted to
35 the extent that funds have been appropriated for this purpose in
36 the annual Budget Act.

37 (1) Any teacher who has attained certification from the
38 National Board for Professional Teaching Standards is eligible to
39 receive an award of up to twenty thousand dollars (\$20,000) if he
40 or she agrees to teach at a high-priority school for at least four

1 years. Teaching service before July 1, 2000, may not be counted
2 towards satisfaction of this four-year commitment.

3 (2) Awards granted pursuant to this subdivision shall be
4 disbursed in annual payments of five thousand dollars (\$5,000)
5 over a four-year period. The annual payment shall be made upon
6 completion of the school year, and upon approval of a
7 district-certified application pursuant to the guidelines of
8 subdivision (c) of Section 44396.

9 (b) In order to defray the expense of attaining certification
10 from the National Board for Professional Teaching Standards,
11 state funds shall be provided to school districts for the purpose of
12 paying the fees of teachers who seek certification, are employed
13 by school districts or charter schools, and are assigned to teach in
14 California public schools. Fee support shall be granted to the
15 extent that funds have been appropriated for this purpose in the
16 annual Budget Act.

17 (c) The department shall administer the awards authorized by
18 subdivisions (a) and (b), and shall develop, in consultation with
19 the commission, certification and award information, criteria,
20 procedures, and applications, all of which shall be submitted to
21 the state board for approval. Amendments requested by the state
22 board to that information, criteria, procedures, and applications
23 shall be made before the dissemination of the material and the
24 granting of any award under this article.

25 (d) The department shall distribute the materials described in
26 subdivision (c) to school districts. Each school district is strongly
27 encouraged to ensure that teachers employed by the district or by
28 charter schools affiliated with the district are informed about the
29 program and can acquire the necessary application and
30 information materials.

31 (e) School districts are encouraged to provide for adequate
32 release time and support for a teacher to complete the
33 certification process. As a condition to providing that release
34 time and support, a school district may require that a teacher
35 serve in a mentor teacher capacity.

36 (f) For purposes of this article, the following definitions apply:

37 (1) "School district" means a school district, a county board of
38 education, a county superintendent of schools, a state operated
39 program, including a special school, or an education program
40 providing instruction in kindergarten or any of grades 1 to 12,

1 inclusive, that is offered by a state agency, including the Division
2 of Juvenile Justice of the Department of Corrections and
3 Rehabilitation and the State Department of Developmental
4 Services.

5 (2) “High-priority school” means a school ranked in deciles 1
6 to 3, inclusive, of the Academic Performance Index rankings
7 established pursuant to subdivision (a) of Section 52056. This
8 designation shall be determined as of the date of the agreement
9 by the teacher described in paragraph (1) of subdivision (a).

10 ~~SEC. 5.~~

11 *SEC. 3.* Section 44830 of the Education Code is amended to
12 read:

13 44830. (a) The governing board of a school district shall
14 employ in positions requiring certification qualifications, only
15 persons who possess the qualifications therefor prescribed by
16 law. It is contrary to the public policy of this state for any person
17 or persons charged, by the governing boards, with the
18 responsibility of recommending persons for employment by the
19 boards to refuse or to fail to do so for reasons of race, color,
20 religious creed, sex, or national origin of the applicants for that
21 employment.

22 (b) A school district governing board shall not initially hire on
23 a permanent, temporary, or substitute basis a certificated person
24 seeking employment in the capacity designated in his or her
25 credential, unless that person has demonstrated basic skills
26 proficiency as provided in Section 44252.5 or is exempted from
27 the requirement by subdivision (c), (d), (e), (f), (g), (h), (i), (j),
28 (k), (l), or (m).

29 (1) The governing board of a school district, with the
30 authorization of the commission, may administer the state basic
31 skills proficiency test required under Sections 44252 and
32 44252.5.

33 (2) (A) The Superintendent, in conjunction with the
34 commission and local governing boards, shall take steps
35 necessary to ensure the effective implementation of this
36 subdivision.

37 ~~It~~

38 (B) *It* is the intent of the Legislature that in effectively
39 implementing this subdivision, school district governing boards
40 shall direct superintendents of schools to prepare for emergencies

1 by developing a pool of qualified emergency substitute teachers.
2 This preparation shall include public notice of the test
3 requirements and of the dates and locations of administrations of
4 the tests. District governing boards shall make special efforts to
5 encourage individuals who are known to be qualified in other
6 respects as substitutes to take the state basic skills proficiency
7 test at its earliest administration.

8 (3) Demonstration of proficiency in reading, writing, and
9 mathematics by any person pursuant to Section 44252 satisfies
10 the requirements of this subdivision.

11 (c) A certificated person is not required to take the state basic
12 skills proficiency test if he or she has taken and passed it at least
13 once or he or she possessed a credential prior to the enactment of
14 the statute that made the test a requirement.

15 (d) This section does not require a person employed solely for
16 purposes of teaching adults in an apprenticeship program,
17 approved by the Division of Apprenticeship Standards of the
18 Department of Industrial Relations, to pass the state proficiency
19 assessment instrument as a condition of employment.

20 (e) This section does not require the holder of a child care
21 permit or a permit authorizing service in a development center
22 for the handicapped to take the state basic skills proficiency test,
23 so long as the holder of the permit is not required to have a
24 baccalaureate degree.

25 (f) This section does not require the holder of a credential
26 issued by the commission who seeks an additional credential or
27 authorization to teach, to take the state basic skills proficiency
28 test.

29 (g) This section does not require the holder of a credential to
30 provide service in the health profession to take the state basic
31 skills proficiency test, if that person does not teach in the public
32 schools.

33 (h) If the state basic skills proficiency test is not administered
34 at the time of hiring, the holder of a vocational designated subject
35 credential who has not already taken and passed the state basic
36 skills proficiency test may be hired on the condition that he or
37 she will take the test at its next local administration.

38 (i) If the holder of a vocational designated subject credential
39 does not pass a proficiency assessment in basic skills pursuant to
40 this section, he or she shall be given one year in which to retake

1 and pass the proficiency assessment in basic skills. If at the
2 expiration of the one-year period he or she has not passed the
3 proficiency assessment in basic skills, he or she shall be subject
4 to dismissal under procedures established in Article 3
5 (commencing with Section 44930).

6 (j) This section does not require the holder of a vocational
7 designated subject credential to pass the state basic skills
8 proficiency test as a condition of employment. The governing
9 board of each school district, or each governing board of a
10 consortium of school districts, or each governing board involved
11 in a joint powers agreement, that employs the holder of a
12 vocational designated subject credential shall establish its own
13 basic skills proficiency for these credentials and shall arrange for
14 those individuals to be assessed. The basic skills proficiency
15 criteria established by the governing board shall be at least
16 equivalent to the test required by the district, or in the case of a
17 consortium or a joint powers agreement, by any of the
18 participating districts, for graduation from high school. The
19 governing board or boards may charge a fee to individuals being
20 tested to cover the costs of the test, including the costs of
21 developing, administering, and grading the test.

22 (k) This section does not require the holder of an adult
23 education designated subject credential for other than academic
24 subjects, who is employed in an instructional setting for 20 hours
25 or less per week, to pass the state proficiency assessment as a
26 condition of employment.

27 (l) This section does not require certificated personnel
28 employed under a foreign exchange program to take the state
29 basic skills proficiency test. The maximum period of exemption
30 under this subdivision shall be one year.

31 (m) Notwithstanding any other *provision of* law, a school
32 district may hire a certificated teacher who has not taken the state
33 basic skills proficiency test if that person has not yet been
34 afforded the opportunity to take the test. The person shall take
35 the test at the earliest opportunity, and may remain employed by
36 the district pending the receipt of his or her test results.

37 ~~SEC. 6.~~

38 *SEC. 4.* Section 69612 of the Education Code is amended to
39 read:

1 69612. (a) The Legislature finds and declares all of the
2 following:

3 (1) There is a growing shortage of high-quality classroom
4 teachers, and there is a need for qualified teachers throughout
5 California.

6 (2) A quality teacher is one of the most important elements in
7 the success of a pupil.

8 (3) The teacher shortage is most serious in particular subject
9 areas, partly due to the shortage of students in these fields who
10 enter the teaching profession.

11 (4) Many school districts have difficulty recruiting and
12 retaining high-quality teachers for high-priority schools, for
13 pupils with special needs, for schools serving rural areas or large
14 populations of pupils from low-income and linguistic minority
15 families, and for schools with a high percentage of teachers
16 holding emergency permits.

17 (5) The rising costs of higher education, coupled with a shift in
18 available financial aid from scholarships and grants to loans,
19 make loan repayment options an important consideration in a
20 student's decision to pursue a postsecondary education.

21 (6) The availability of financial aid and loan repayment
22 assistance are important considerations for many students,
23 especially economically disadvantaged students, in making their
24 educational decisions.

25 (b) It is, therefore, the intent of the Legislature that all of the
26 following occur:

27 (1) The Assumption Program of Loans for Education be
28 designed to encourage persons to enter into the teaching
29 profession in designated subject matter shortage areas and in
30 schools serving large populations of pupils from low-income
31 families, schools serving rural areas, schools with a high
32 percentage of teachers holding emergency permits, or schools
33 with any or all of these characteristics.

34 (2) That the enactment of this article accomplish all of the
35 following:

36 (A) Providing outstanding postsecondary students, particularly
37 economically disadvantaged students, with the assurance of
38 financial assistance to encourage them to complete postsecondary
39 education programs leading to teaching credentials, and to seek
40 employment as teachers.

1 (B) Identifying subject matter areas or schools in which there
2 are shortages of fully credentialed teachers and provide
3 incentives for persons to obtain teaching credentials and seek
4 teaching positions in those areas.

5 (C) Identifying schools serving rural areas, schools serving
6 large populations of students from low-income families, or both,
7 and schools with a high percentage of teachers holding
8 emergency permits, and provide incentives for persons to obtain
9 teaching credentials and seek teaching positions in those schools.

10 (D) Identifying high-priority schools and provide incentives
11 for persons to obtain teaching credentials and seek teaching
12 positions in those schools. For purposes of this article,
13 “high-priority school” means a school ranked in the deciles of 1
14 to 3, inclusive, of the Academic Performance Index rankings
15 established pursuant to subdivision (a) of Section 52056 at the
16 time that a teacher is hired.

17 (3) Commencing with the 2000–01 school year, all persons
18 eligible to enter into agreements for loan assumption pursuant to
19 this article shall be persons who need to complete training or
20 coursework in order to be fully credentialed, and who agree to
21 obtain a credential and teach in a designated subject matter
22 shortage area or in a school that, at the time that the teacher is
23 hired, meets any of the following criteria:

24 (A) Serves a large population of pupils from low-income
25 families.

26 (B) Has a high percentage of teachers holding emergency
27 permits. For purposes of this article, a school with a “high
28 percentage of teachers holding emergency permits” is a school in
29 which 20 percent or more of the teachers hold emergency
30 permits, teach pursuant to waivers of credential requirements, or
31 are interns.

32 (C) Is a high-priority school.

33 (4) Funding necessary for the administration of this article
34 shall be included within the annual budget of the commission in
35 an amount necessary to meet the student loan obligations
36 incurred by the commission.

37 ~~SEC. 7.~~

38 *SEC. 5.* Section 69613 of the Education Code is amended to
39 read:

1 69613. (a) (1) Any person enrolled in an eligible institution
2 may be eligible to enter into an agreement for loan assumption,
3 to be redeemed pursuant to Section 69613.2 upon becoming
4 employed as a teacher. In order to be eligible to enter into an
5 agreement for loan assumption, an applicant shall satisfy all of
6 the conditions specified in subdivision (b).

7 (2) As used in this article, “eligible institution” means a
8 postsecondary institution that is determined by the Student Aid
9 Commission to meet both of the following requirements:

10 (A) The institution is eligible to participate in state and federal
11 financial aid programs.

12 (B) The institution maintains a program of professional
13 preparation that has been approved by the Commission on
14 Teacher Credentialing.

15 (b) (1) The applicant has completed at least 60 semester units,
16 or the equivalent, and is enrolled in an academic program leading
17 to a baccalaureate degree at an eligible institution, or has been
18 admitted to a program of professional preparation that has been
19 approved by the Commission on Teacher Credentialing.

20 (2) The applicant is currently enrolled, or has been admitted to
21 a program in which he or she will be enrolled on at least a
22 half-time basis, as determined by the participating institution.
23 The applicant shall agree to maintain satisfactory academic
24 progress and a minimum of half-time enrollment, as defined by
25 the participating eligible institution.

26 (3) The applicant has been judged by his or her postsecondary
27 institution to have outstanding ability on the basis of criteria that
28 may include, but need not be limited to, any of the following:

29 (A) Grade point average.

30 (B) Test scores.

31 (C) Faculty evaluations.

32 (D) Interviews.

33 (E) Other recommendations.

34 (4) The applicant has received, or is approved to receive, a
35 loan under one or more of the following designated loan
36 programs:

37 (A) The Federal Family Education Loan Program (20 U.S.C.
38 Sec. 1071 et seq.).

39 (B) Any loan program approved by the Student Aid
40 Commission.

(5) The applicant has agreed to teach full time for at least four consecutive academic years after obtaining a teaching credential in a public elementary or secondary school in this state, in a subject area that is designated as a current or projected shortage area by the Superintendent of *Public Instruction*, or at a school that, at the time that the teacher is hired, meets any of the following criteria:

(A) It serves a large population of pupils from low-income families, as designated by the Superintendent of *Public Instruction*.

(B) It has 20 percent or more teachers holding emergency permits. For purposes of this paragraph, “teachers holding emergency permits” includes persons who teach pursuant to waivers of credential requirements or who are interns.

(C) It is a high-priority school.

(c) No applicant who has completed fewer than 60 units, or the equivalent, shall be eligible under this section to participate in the loan assumption program set forth in this article.

(d) The agreements entered into each year pursuant to subdivision (b) at each eligible institution or participating school district or county office of education shall be with applicants who meet the criteria specified in paragraph (3) of subdivision (b) of Section 69612 or agree to teach in any of the subject areas listed pursuant to that section. An agreement shall remain valid even if the subject area under which an applicant becomes eligible to enter into an agreement ceases to be a designated shortage field by the time the applicant becomes a teacher.

(e) For purposes of calculating eligible years of teaching for the redemption of an award, the designation by the Superintendent of *Public Instruction* of a newly-opened school pursuant to Section 52056 shall apply retroactively from the time of opening the school.

(f) A person participating in the program pursuant to this section shall not enter into more than one agreement.

~~SEC. 8.~~

~~SEC. 6.~~ Section 70000 of the Education Code is amended to read:

70000. (a) (1) The Governor’s Teaching Fellowships Program is hereby established to be administered by the Student Aid Commission. The Student Aid Commission shall collaborate

1 ~~with the University of California, the California State~~
2 ~~University,~~ *to be administered by the Chancellor of the*
3 *California State University with the advice of the intersegmental*
4 *review committee established pursuant to Section 70002. The*
5 *chancellor shall collaborate with the University of California,*
6 *the California Community Colleges, the Association of*
7 *Independent California Colleges and Universities, the State*
8 *Department of Education, and the Commission on Teacher*
9 *Credentialing to ensure that access to the fellowships is available*
10 *to students in a variety of teaching preparation programs.*

11 *(2) The Legislature finds and declares that, as of January 1,*
12 *2007, the program established by this article shall be*
13 *restructured by the act that adds this paragraph, but, pursuant to*
14 *Section 70005, the Chancellor of the California State University*
15 *shall retain the authority to enforce the conditions of awards*
16 *made prior to January 1, 2007.*

17 ~~(b) In January 2007, 250 nonrenewable~~ *From January 1, 2007,*
18 *to June 30, 2007, inclusive, the Chancellor of the California*
19 *State University shall, upon the nomination of the intersegmental*
20 *review committee, award 250 graduate teaching fellowships in*
21 *the amount of twenty thousand dollars (\$20,000) each—shall be*
22 *awarded for use in the 2007–08 academic year, as follows:*

23 *(1) Eight thousand dollars (\$8,000) shall be disbursed,*
24 *pursuant to regulations established by the—Student Aid*
25 ~~*Commission*~~ *Chancellor of the California State University, to*
26 *candidates who are enrolled in, and scheduled to complete, a*
27 *teacher certification program at an accredited postsecondary*
28 *educational institution in California.*

29 *(2) Three thousand dollars (\$3,000) shall be disbursed in the*
30 *first school year that the qualified teacher teaches in a*
31 *high-priority school pursuant to subdivision (a) of Section 70003.*
32 *Four thousand dollars (\$4,000) shall be disbursed to the qualified*
33 *teacher in the second school year, and five thousand dollars*
34 *(\$5,000) shall be disbursed in the third school year.*

35 *(3) Each annual stipend shall be disbursed pursuant to*
36 *regulations established by the—Student Aid—Commission*
37 *Chancellor of the California State University.*

38 ~~*(c) During the 2007–08 fiscal year, 500 nonrenewable,*~~

1 (c) For the 2008–09 fiscal year, 500 graduate teaching
2 fellowships in the amount of twenty thousand dollars (\$20,000)
3 each shall be awarded and disbursed pursuant to subdivision (b).

4 (d) Commencing with the ~~2008–09~~ 2009–10 fiscal year and
5 each fiscal year thereafter, the number of fellowships awarded
6 shall be determined pursuant to an appropriation in the annual
7 Budget Act for this purpose.

8 ~~SEC. 9.~~

9 SEC. 7. Section 70001 of the Education Code is amended to
10 read:

11 70001. (a) The ~~Student Aid Commission~~ Chancellor of the
12 California State University shall have the following duties:

13 (1) Developing an application process that establishes a
14 merit-based fellowship program for graduate students who agree
15 to teach at a high-priority school for three years.

16 (2) Establishing a broad and effective outreach effort to
17 promote the availability and the merits of the fellowship
18 program.

19 (3) Conducting the selection process for fellowship applicants.

20 (4) Developing and implementing a system for disbursing
21 annual stipends and monitoring program participants through the
22 completion of their three-year teaching obligation.

23 (5) Determining the criteria for selecting teaching fellowship
24 candidates. The criteria shall include, at a minimum, all of the
25 following:

26 (A) Previous academic and employment record.

27 (B) A demonstrated commitment to serve in a high-priority
28 school.

29 (C) Evaluations from faculty, employers, or both.

30 (D) Interviews.

31 (E) Letters of recommendation.

32 (b) For purposes of this article, a “high-priority school” is a
33 school ranked in deciles 1 to 3, inclusive, of the Academic
34 Performance Index (API) rankings established pursuant to
35 subdivision (a) of Section 52056. If a school meets this criteria at
36 the time a teacher is hired, continued employment of the teacher
37 at that school fulfills the commitment made by the teacher, even
38 if the school improves its rank on the API.

1 ~~SEC. 10.~~

2 ~~SEC. 8.~~ Section 70002 of the Education Code is amended to
3 read:

4 70002. An intersegmental review committee is hereby
5 established to review all applications for the Governor's
6 Teaching Fellowships, *and to advise the Chancellor of the*
7 *California State University on the needs of fellowship recipients*
8 *who are students in segments other than the California State*
9 *University.* The committee shall recommend teaching fellowship
10 candidates to the ~~Student Aid Commission~~ *Chancellor of the*
11 *California State University.* The committee shall consist of nine
12 members, appointed by the Governor to a term of four years,
13 based on recommendations as follows:

14 (a) The Chancellor of the California State University shall
15 recommend three members. One shall be a faculty member. One
16 shall be an administrator from either higher education or schools
17 maintaining kindergarten or any of grades 1 to 12, inclusive. One
18 shall be a teacher from a school maintaining kindergarten or any
19 of grades 1 to 12, inclusive.

20 (b) The President of the University of California shall
21 recommend three members. One shall be a faculty member. One
22 shall be an administrator from either higher education or schools
23 maintaining kindergarten or any of grades 1 to 12, inclusive. One
24 shall be an elementary or secondary teacher.

25 (c) The Chair of the Association of Independent California
26 Colleges and Universities shall recommend three members. One
27 shall be a faculty member. One shall be an administrator from
28 either higher education or schools maintaining kindergarten or
29 any of grades 1 to 12, inclusive. One shall be an elementary or
30 secondary teacher.

31 ~~SEC. 11.~~

32 ~~SEC. 9.~~ Section 70003 of the Education Code is amended to
33 read:

34 70003. (a) A fellowship recipient shall agree to teach in a
35 high-priority school for three consecutive years, and shall have
36 four years, upon completion of his or her preparation program, to
37 meet that obligation. ~~A fellowship recipient. Notwithstanding~~
38 ~~Section 70005, the recipient of a fellowship under this article on~~
39 ~~or after January 1, 2007, shall not be assessed a civil penalty or~~
40 ~~required to repay funds awarded under this article to the state,~~

1 *but* shall forfeit future payments if he or she fails to complete any
2 portion of his or her obligation to teach in a high-priority school
3 for three consecutive years.

4 (b) Nonperformance of the commitment to teach in a
5 high-priority school for three consecutive years shall be certified
6 by the ~~Student Aid Commission~~ *Commission on Teacher*
7 *Credentialing to the Chancellor of the California State*
8 *University.*

9 ~~SEC. 12.~~

10 *SEC. 10.* Section 70004 of the Education Code is amended to
11 read:

12 70004. The ~~Student Aid Commission~~ shall provide
13 *Chancellor of the California State University* shall submit an
14 annual report to the Legislature on the number of fellows
15 receiving funding, the number of fellows completing credential
16 programs and their three-year teaching obligations, the place of
17 employment for each candidate, and anonymous evaluations by
18 school principals of the effectiveness and impact of fellows under
19 their supervision on pupils.

20 ~~SEC. 13. Section 70005 of the Education Code is repealed.~~

21 *SEC. 11.* Section 70005 of the Education Code is amended to
22 read:

23 70005. (a) The ~~Chancellor's office~~ *Chancellor* of the
24 California State University shall adopt any rules and regulations
25 ~~it he or she~~ deems necessary for the ~~administration of this section~~
26 ~~and the recovery of funds it he or she~~ determines are owed to the
27 state ~~by a person who received funds under this program prior to~~
28 *January 1, 2007.* The rules and regulations adopted by the
29 ~~chancellor's office~~ *chancellor* pursuant to this section shall also
30 include a provision authorizing the ~~chancellor's office~~ *chancellor*
31 to seek a civil penalty ~~on a recipient of~~ *against a person who*
32 *received funds under this program prior to January 1, 2007,* in an
33 amount not to exceed five thousand dollars (\$5,000) per year for
34 each year that the recipient of funds is determined by the
35 Commission on Teacher Credentialing to have failed to fulfill his
36 or her obligation to teach in a high-priority school.

37 (b) Any moneys derived from the assessment of penalties
38 pursuant to this section shall be deposited into the General Fund.

1 ~~SEC. 14.~~

2 *SEC. 12.* Article 5 (commencing with Section 90540) is
3 added to Chapter 11 of Part 55 of the Education Code, to read:

4
5 Article 5. California Teacher Cadet Program
6

7 90540. The California Teacher Cadet Program is hereby
8 established, and shall be operated by the California Center on
9 Teaching Careers in conjunction with the Superintendent of
10 Public Instruction and the Chancellor of the California State
11 University. The program is established for the purpose of
12 introducing public secondary school pupils to the teaching
13 profession. The main purpose of the program is to encourage
14 high school pupils who possess a high level of academic
15 achievement and the personality traits found in good teachers to
16 consider a career in teaching.

17 90541. ~~The California~~ Chancellor ~~to~~ of the California State
18 University shall convene an advisory committee, consisting of
19 appropriately qualified high school and college faculty and
20 administrators, as selected by the chancellor to develop a
21 common core curriculum designed to expose pupils to teaching
22 careers and the education system through the development of a
23 hands-on curriculum that includes the following elements:

24 (a) Classroom discussions led by the supervising teacher at the
25 high school.

26 (b) Hands-on activities designed to excite pupils about
27 teaching.

28 (c) Observation and participation in public school classrooms.

29 (d) Interaction with successful administrators and teachers.

30 (e) Opportunities for high school pupils to participate in
31 classrooms by tutoring, interning, and observing classroom
32 teaching.

33 90542. A school district that participates in the California
34 Teacher Cadet Program shall receive, from funds appropriated
35 for that purpose, a one-time grant of up to one thousand five
36 hundred dollars (\$1,500) for the startup of the program at its
37 schoolsite that will fund the purchase of materials and the
38 development of tutoring, internship, and observation options for
39 the high school pupils enrolled in the California Teacher Cadet
40 Program.

1 90543. Subject to the availability of funding, the California
2 State University shall contract for an evaluation of this program,
3 and shall report to the Legislature no later than January 1, 2010.
4 The evaluation should include interviews with program
5 participants regarding their views on the value of the program
6 and whether participation in the California Teacher Cadet
7 Program has been instrumental in encouraging the selection of
8 teaching as a career, and surveys of colleges and universities to
9 determine whether there has been an increase in the number of
10 pupils who have indicated an interest in preparing for a career in
11 public education.

12 90544. This article shall remain in effect only until January 1,
13 2015, and as of that date is repealed, unless a later enacted
14 statute, that becomes operative on or before January 1, 2015,
15 deletes or extends that date.

16 ~~SEC. 15.~~

17 *SEC. 13.* Article 5.5 (commencing with Section 90545) is
18 added to Chapter 11 of Part 55 of the Education Code, to read:

19
20 Article 5.5. Competitive Grant Program for Partnership
21 Schools and Institutions of Higher Education
22

23 90545. It is the intent of the Legislature to create a
24 competitive grant program for institutions of higher education to
25 collaborate with schools and local educational agencies in order
26 to create and implement professional development schools for
27 teacher education. The criteria for grant program awards shall
28 include all of the following:

29 (a) Preference for projects that incorporate, into their ~~plan~~
30 *plans*, schools that include any or all of kindergarten and grades
31 1 to 12, inclusive, and that are ranked in deciles 1 to 3, inclusive,
32 of the Academic Performance Index.

33 (b) Novice teachers shall be offered extensive hands-on
34 experience in the classroom alongside experienced teachers,
35 exposure to demonstration teachers, and consistent ongoing
36 contact with informal mentors.

37 (c) Preference for projects that share the responsibility for new
38 teacher education by highlighting the collaboration between the
39 faculty of institutions of higher education and the personnel of

1 any school that includes any or all of kindergarten and grades 1
2 to 12, inclusive.

3 90546. (a) The Chancellor of the California State University
4 shall convene a Professional Development/Partnership School
5 Advisory Committee to develop criteria and standards that will
6 be used to create a request-for-proposal for the competitive grant
7 program that would be established under this article. This
8 advisory committee shall have, but not necessarily be limited to,
9 all of the following responsibilities:

10 (1) Determining the appropriate number of partnership schools
11 for participation in the program with a university campus of a
12 particular size.

13 (2) Defining the shared program responsibilities of the
14 partnership school and the university campus.

15 (3) Estimating the amount of startup funding that is necessary
16 for the implementation of the program.

17 (4) Determining the length of the commitment to be made by
18 an institution participating in the program.

19 (5) Defining other components and standards of the program
20 as the advisory committee deems appropriate.

21 (b) The chancellor shall select the membership of the advisory
22 committee established under this section. The membership of the
23 advisory committee shall include, but not necessarily be limited
24 to, all of the following:

25 (1) Administrators and faculty from public elementary or
26 secondary schools, chosen from lists, provided by the State
27 Department of Education, of faculty and administrators with
28 experience in working at partnership schools.

29 (2) Teacher training faculty or administrators from each of the
30 following: the University of California, the California State
31 University, and at least one college or university that is a member
32 of the Association of Independent California Colleges and
33 Universities. Each person selected under this paragraph shall
34 have experience with partnerships between elementary or
35 secondary schools and institutions of higher education.

36 (c) On or before May 1, 2007, the chancellor shall submit to
37 the Legislature and the Governor a report that includes the
38 findings and recommendations of the advisory committee with
39 respect to the competitive grant program. It is the intent of the
40 Legislature to include an appropriation of three million dollars

1 (\$3,000,000) in the Budget Act of 2007 for the purposes of the
2 competitive grant program that would be established under this
3 article.

4 ~~SEC. 16.~~

5 *SEC. 14.* (a) The sum of six hundred twenty-five thousand
6 dollars (\$625,000) is hereby appropriated from the General Fund
7 for the 2006–07 fiscal year to be allocated as follows:

8 (1) Twenty-five thousand dollars (\$25,000) to the State
9 Department of Education for administrative costs associated with
10 the allocation of startup grants to school districts for the
11 California Teacher Cadet Program specified in Section 90540.

12 (2) One hundred fifty thousand dollars (\$150,000) to the
13 California State University for curriculum and program
14 development assistance and outreach services related to the
15 California Teacher Cadet Program.

16 (3) Three hundred thousand dollars (\$300,000) to the State
17 Department of Education for allocation to school districts for the
18 purposes associated with the startup costs of the California
19 Teacher Cadet Program in up to 200 ~~schoolsites~~ *schoolsites*
20 statewide.

21 (4) One hundred fifty thousand dollars (\$150,000) to the
22 California State University for the convening of the advisory
23 committee and the submission of the report pursuant to Article
24 5.5 (commencing with Section 60545) of Chapter 11 of Part 55
25 of the Education Code.

26 (b) For purposes of making computations required by Section
27 8 of Article XVI of the California Constitution, the appropriation
28 made by paragraph (3) of subdivision (a) shall be deemed to be
29 “General Fund revenues appropriated to school districts,” as
30 defined in subdivision (c) of Section 41202 of the Education
31 Code, for the 2006–07 fiscal year, and shall be included within
32 the “total allocations to school districts and community college
33 districts from General Fund proceeds of taxes appropriated
34 pursuant to Article XIII B,” as defined in subdivision (e) of
35 Section 41202 of the Education Code, for the 2006–07 fiscal
36 year.

O